

Commonly asked questions

What is the Legislative Council?

The Legislative Council is a statutory, bipartisan, legislative committee established in 1957. Originally known as the "research arm of the legislature," the Council now serves important leadership functions within the Legislative Branch.

Legislative Council's mission, as established by the Council itself, is to provide ongoing leadership, direction, and foresight for the efficient operation and improvement of the Legislative Branch; to establish personnel and pay policies in order to maintain professional and highly motivated employees; to educate the public about the Legislature and foster public participation in the legislative process; and to preserve the integrity of the Legislature as an equal branch of government.

Who sits on the Legislative Council?

The Council is comprised of 12 members of the Legislature. Four of the members serve by virtue of their leadership positions: the President of the Senate, the Speaker of the House, and the Minority Leaders of each house. Four other Senators are appointed by the Committee on Committees and four other Representatives by the Speaker. Appointments are made as soon as possible after organization of the Legislature is completed at the beginning of each regular session. A member serving on account of a leadership position who is in the last biennium of service due to term limits may appoint a legislator who is not term limited to serve in his or her place.

Council members as of June 1999 were:

Sen. Bruce Crippen, President of the Senate
Sen. Tom Beck, Vice-Chairman
Sen. Mack Cole
Sen. Steve Doherty, Minority Leader of the Senate
Sen. Debbie Shea
Sen. Chris Christiaens

Rep. Mark Noennig (for John Mercer, Speaker of the House)
Rep. Paul Sliter
Rep. Karl Ohs
Rep. Emily Swanson, Minority Leader of the House
Rep. Red Menahan, Chairman
Rep. Billie Krenzler

What are the responsibilities of the Legislative Council?

The Council's responsibilities are to:

1. employ and set the salary of the Executive Director of the Legislative Services Division (5-11-105, MCA);
2. adopt rules for classification and pay of Legislative Branch employees (5-11-105, MCA);
3. adopt rules governing personnel management of Legislative Branch employees (5-11-105, MCA);
4. assign to an appropriate committee a question of statewide importance that arises between sessions and for which there is no legislative committee already assigned to address the question (5-11-105, MCA);
5. support standing committee investigations and other activities (5-5-214, 5-11-107, MCA);
6. establish a functional organization within the Legislative Services Division in order to effectively and efficiently carry out all of the responsibilities delegated to the Division (5-11-112, MCA);
7. consult with and advise the Department of Administration concerning the assignment of space in the Capitol (5-11-115, MCA);
8. consult with and advise the Montana Historical Society on the placement of busts, statues, memorials, or art displays of a permanent nature within public areas of the Capitol (5-11-115, MCA);
9. serve as a long-range building committee to recommend to the Legislature and the Department of Administration construction and remodeling priorities for the Capitol;
10. set fees for proceedings of the Legislature (5-11-212, MCA);
11. serve as the agency of interstate and international cooperation (5-11-301, MCA);
12. approve and adopt a Legislative Branch computer system plan developed by the Legislative Branch Computer Systems Planning Council (5-11-405, MCA);
13. provide general supervision and policy for the Code Commissioner (1-11-203, MCA);
14. with the advice of the Code Commissioner, decide on the quantity, quality, style, format, and grade of all Code Commissioner publications (1-11-301, MCA);
15. fix the sales price of the Montana Code Annotated and ancillary publications (1-11-301, MCA);

16. appoint members to serve on the Montana Commission for Uniform State Laws (1-12-101, MCA);
17. serve as budget approving authority with respect to Legislative Services Division programs as provided in 2-18-103 and 17-7-102, MCA;
18. operate the Legislative Intern Program (Title 5, chapter 6, part 1, MCA) and
19. serve as the appropriate legislative committee for consultation with the Board of Land Commissioners regarding disposal, sale, or exchange of certain state lands (77-2-302 and 77-2-351, MCA).

What can the Legislative Council do for you?

Help you develop insight and expertise in the operation and management of the legislative institution.

Allow you to be involved in shaping the future of the Montana Legislature.

What are your responsibilities as a Legislative Council member?

Be engaged and participate. At times, the kinds of work the Legislative Council does may not seem as engaging as the policy-making work of the session or other interim committees, but it is work necessary for the well-being of the legislative institution. Engagement and thoughtful work toward a stronger legislative institution can be difficult but very interesting and rewarding. Each member needs to:

read reports, plans, proposals, and minutes provided to you;

learn as much as you can about the organization of the Legislative Branch and the Legislative Services Division;

develop and maintain good communications with members of the Finance Committee and Audit Committee so as to maximize mutual understanding and cooperation within the Legislative Branch;

be sure to ask questions regarding any Council duties you do not fully understand; and

communicate frankly with the Chairman and staff on matters such as preferred style and length of presentations, conduct of meetings, format of reports, and other topics pertinent to Legislative Council business.

What does the Legislative Council do during a typical biennium?

Between legislative sessions, the Legislative Council meets about 8 times. In recent years, the Council has established subcommittees including a personnel subcommittee and legislative improvement subcommittee which have been fairly active. The Council also often meets 2 or 3 times during a legislative session. The Council also has established a tradition of holding a planning retreat away from the Capital City early in the interim. This session is designed to allow members to think together about the legislative process and establish an agenda for the Council to address issues raised at the retreat.

The following is a master calendar outlines *minimum* Legislative Council responsibilities and approximate times they need to be accomplished each biennium

During the session

- Reorganize council
- Engage in budget process
- Engage in interim committee reorganization work

May - June

- Establish interim study program (Based on results of poll compiled by Research Division; consideration to reorganization of interim)
- Appoint membership of interstate organizations (Dependent upon budget having been appropriated.)
- Set publication prices for session publications, codes, etc. (Based on Executive Director and Code Commissioner recommendations)
- Establish operating budget for ensuing fiscal year
- Set Executive Director salary in accordance with pay plan
- Set overall budget allocation

January -- April

- Begin budget development for succeeding biennium
- Review agency goals and objectives and set priorities
- Identify budget initiatives

May -- June

- Establish operating budget for ensuing fiscal year
- Set executive director salary in accordance with pay plan
- Set overall budget allocation
- Review preliminary budget proposal for ensuing biennium

July -- August

- Review and approve Legislative Branch Computer System Plan
- Approve budget submission prior to September 30

September -- November

- Select Legislative Interns (discretionary appointments)

Set prices for proceedings
Receive Code Commissioner Report

December

Assign interns to legislators following requests by members

What does the Legislative Council do during a typical meeting? How is the agenda developed?

At the beginning of each interim, a master calendar is prepared that outlines meeting agendas designed to fulfill minimum Council requirements. Members of the Council may propose adding additional items for Council consideration or other items may come up that require consideration. Here are some typical additional items that appear on Council agendas:

Consideration of land transfer issues on referral from the Land Board;

Reports on work of Legislative Services Division staff members that might otherwise escape notice of legislators;

Reports and action items brought forward by Council subcommittees;

Planning for and hosting legislative delegations from our sister state of Kumamoto, Japan and other sister states;

Review of planning issues related to the Capitol and allocation of space in the Capitol; and

Other issues that arise that require the consideration of the collective legislative leadership prior to organizing the next legislature.

The agenda is developed informally with items added as required and approved by the Chairman. The executive director indicates the nature of each item on the agenda along with the decision or action needed by the Council.

Who are the staff for the Legislative Council?

The Executive Director of the Legislative Services Division is the primary staff for the Legislative Council. The office directors and financial services manager also provide active support for various council responsibilities.